

July 13, 2009

09-17

A regular meeting of the Caribou City Council was held at 7:00 p.m. on Monday, July 13, 2009 in Council Chambers with the following members present: Mayor Kenneth G. Murchison, Jr., Christopher A.R. Bell, R. Mark Goughan, Karla M. Bell, David Martin, Mary Kate Barbosa, and Miles R. Williams.

Steven R. Buck, City Manager, and Kathy Mazzuchelli, Director of Parks and Recreation, were present.

Barbara Scott, representing the Aroostook Republican; and Time Warner covered the meeting.

Several others attended, including Leo Kieffer, Doug Morrell, Howard Getchell, Philip McDonough, Philip Trombley, Paul and Joan Theriault, Dorothy Peterson, Freda Habeeb, Wilfred Martin, Bryan Harper, Vernon Leavitt, Donald Goughan, and Herman Tracy.

Council Agenda item #1: Public Input

(Request by Howard Getchell II – disrespect to Veterans)

Mr. Getchell distributed packaged American flags to each Councilor and became immediately enraged as he spoke. At one point he was told he would be asked to leave if he did not stop using profanity. He said several fellows veterans had recently visited the area and had voiced dismay that they did not see flags being flown on or near various public buildings in Caribou on July 4th. Hence, the veterans had purchased the flags to be given to the Council. In his outburst he voiced his emphatic dissatisfaction with everyone and said the situation was shamefully disgraceful to the veterans.

Council Agenda item #2: Sesquicentennial Update.

Anyone interested to learn about the celebration may go to www.celebratecaribou.com.

Council Agenda item #3: Consider authorizing the Minutes for the following:

- a. June 23rd, 2009 Council Meeting
- b. June 29th, 2009 Special Council Meeting

Motion made by C. Bell, seconded by D. Martin, to accept the minutes of the June 23, 2009 Council meeting as printed. (7 yes) So voted.

Motion made by C. Bell, seconded by D. Martin, to accept the minutes of the June 29, 2009 Special Council meeting as printed. (7 yes) So voted.

Council Agenda item #4: Consider authorizing the Financial Statements for the period ending June 30, 2009

The City Manager reported the month of June ended with the Revenue Summary Report closing at 53.34%, or 3.34% ahead of projections, and the Expense Summary Report closing at 46.71%, or 3.29% under budget. He gave information on the six major revenue accounts and reviewed the status of the expenses for each department.

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Motion made by M. Williams, seconded by MK Barbosa, to accept the Financial Statements for the period ending June 30, 2009, as presented.
(6 yes, 1 no, M. Goughan) So voted.

Council Agenda item #5: Consider authorizing a Firefighting/RIT Team Agreement with the County of Aroostook, North Lakes Volunteer Fire Department.

Motion made by K. Bell, seconded by C. Bell, to authorize the renewal of the Firefighting/RIT Team Agreement between the City and the County of Aroostook, North Lakes Volunteer Fire Department in the amount of \$1,060.90 for July 1, 2009 to June 30, 2010. (7 yes) So voted.

Council Agenda item #6: Consider authorizing a letter of support to the Department of Conservation for the 2009 construction of a boat launch on the Aroostook River, Lower Lyndon Street site.

The City Manager explained the City's long-term goal to establish a boat launch below the dam on the Aroostook River. The City has been working with the Department of Conservation and Inland Fisheries and Wildlife to determine the best site. The previously engineered area off Lower Lyndon Street seems to be the final choice. The Department of Conservation is agreeing to fund through a grant up to 75% of the engineered costs, not to exceed \$75,000, toward the project. The highest amount of the City's portion would be \$24,462.50 without a contingency, which is available in a CIP reserve account. The project was not anticipated to cost as much as the engineered amount. The Council would not be asked to award a bid on the project until the grant is awarded in August. Construction could start this year.

Mayor Murchison allowed a question from the audience, which was directed to Leo Kieffer, who has been working on this project since its inception. The question referred to the construction of the launch, i.e. would it be made of wood? Mr. Kieffer replied that it would not be constructed of wood. He also noted that Caribou is the only community with access to the Aroostook River that does not have a boat launch.

Motion made by C. Bell, seconded by D. Martin, to authorize the City Manager to enter into and execute a Project Agreement with the State of Maine Bureau of Parks and Lands for a boat launch facilities off Lower Lyndon Street on the Aroostook River and to place the project to bid pending the notice of grant award by the State. (7 yes) So voted.

Council Agenda item #7: Consider authorizing a Municipal Quitclaim Deed to Larry & Ginette Jandreau for Tax Map 14, Lot 25-27 for taxes paid in full.

Motion made by K. Bell, seconded by MK Barbosa, to authorize a Municipal Quitclaim Deed to Larry & Ginette Jandreau for Tax Map 14, Lot 25-27 for taxes paid in full.
(7 yes) So voted.

Council Agenda item #8: Consider authorizing a Municipal Quitclaim Deed to Angela Wells for the purchase of tax acquired property paid in full, Tax Map 25, Lot 135, 21 Katahdin Avenue.

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Motion made by M. Williams, seconded by K. Bell, to authorize a Municipal Quitclaim Deed to Angela Wells for the purchase of tax acquired property paid in full, Tax Map 25, Lot 135, 21 Katahdin Avenue. (7 yes) So voted.

Council Agenda item #9: Consider a proposed Charter Amendment to Section 5.06 Budget as set forth by under Charter Section 9.03 by a five person committee.

The City Manager read the wording of a petition that had been filed with the City Clerk by a Petitioners Committee consisting of Philip Trombley, Philip McDonough, Paul Theriault, Doug Morrell and Donald Goughan.

“The City Manager under the direction of the City Council shall use a ‘Zero base budgeting’ format to formulate each new city budget, using or starting from the previous year’s budgeted numbers will not be allowed. City administration will start from \$0.00 and build each department’s budget by line item, after which the total city budget will go to the city’s taxpayers for approval. Ballots will show each department’s total budget and its percentage of the proposed mil rate.”

The City Manager explained the legal process to be followed. The gathering of the sufficient number of signatures would need to be completed and filed by August 5th in order to be placed on the November ballot. He informed the Council of the two options available to them. They could vote to support the proposed amendment and submit it to voters in November or they could deny the request, which would allow the petitioners to obtain the required number signatures to file under State Law with the intent to submit to the voters.

At the request of Councilor K. Bell, the Manager explained the method currently used to establish a budget. He said the process was done in the required time line according to the City Charter. Since there was no budgeting software to do this, he has built a system of interactive multi-page spreadsheets on which the department heads enter their specific line items. The Council is then able to work with all of the data and compare the historical factors, etc. to reach the final figures each year.

Councilor Williams, referring to recent accusations that the Council has been less than transparent in the budget process, said that the department heads, using the tool created by the City Manager and the historical data, “have come up with a very tight budget.” Asking the departments to start with a zero budget without being able to refer to historical data (past use of fuel, electricity, etc.) would be a waste of time. He saw historical data as something to be used to the City’s advantage. He thought the department heads and City Manager should be commended for maintaining the services without raising the mil rate or using reserves adding, “We do try to run a very transparent budget here.”

At the request of Councilor C. Bell, Doug Morrell was asked what the group perceived as a particular benefit of the charter amendment to the community. Doug said the organization understood that a certain amount of money is needed to run the City. The proposed plan was to “strip the fat out of the budget” and see each line item of each department. That way any “fluff or overlay” could be identified. Councilor C. Bell pointed out that the line items “can clearly be identified and we go through them one by one. I think we’ve done a pretty good job of taking the fluff out.” He asked Mr. Morrell, if the group wants to save money, why were they prepared to expend money with special

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elections and any other associated costs. Mr. Morrell said the plan was to combine this with the November election.

Motion made by C. Bell, seconded by MK Barbosa, to deny the Petitioners' request for the proposed Charter Amendment to Section 5.06 as filed. (7 yes) So voted.

Council Agenda item #10: Consider acting upon Bids for Tax Acquired Property Tax Map 7, Lot 039-031.

The City Manager reported that only one bid was received and it exceeded the minimum required amount.

Motion made by D. Martin, seconded by K. Bell, to accept the bid of \$10,507.17 from Karen Anderson for the purchase of tax acquired property Tax Map 7, Lot 039-031, a 1999 Skyline mobile unit. (7 yes) So voted.

Council Agenda item #11: Consider setting a Public Hearing date of August 17, 2009 to receive written or verbal comment on the Planning Board proposed Section 4-101.3 Building Demolition Ordinance.

The City Manager reviewed the revised proposed ordinance that included the changes the Councilors had suggested at the last meeting. All of their concerns had been addressed.

Motion made by K. Bell, seconded by D. Martin, to set a Public Hearing date of August 17, 2009 to receive written or verbal comment on the Planning Board proposed Section 4-101.3 Building Demolition Ordinance. (7 yes) So voted.

Council Agenda item #12: Consider the acceptance of an MDOT Quality community Program Grant for crosswalk improvements and sidewalks on North Main Street.

The City Manager said the State would fund \$71,000 towards the project and the remaining \$17,773 would be the City's in kind match with the work would be done by Public Works. It was also pointed out that the Safe Routes to School Program has also provided for two solar powered lights on Glenn Street and one on Park Street, which have been recently installed. The funds, which would not available until late fall, would be held by MDOT until the work is done in 2010.

Motion made by M. Williams, seconded by K. Bell, to authorize the City Manager to sign and implement the letter of acceptance with the Maine Department of Transportation for a Quality Community Grant program for crosswalk improvements and construction of sidewalks on North Main Street. (7 yes) So voted.

Council Agenda item #13: Consider the renewal of a Rubbish Hauler's License for Gilford Berube d/b/a Gil's Sanitation, Inc., Presque Isle.

Motion made by C. Bell, seconded by D. Martin, to approve the renewal of a Rubbish Hauler's License for Gilford Berube d/b/a Gil's Sanitation, Inc., Presque Isle. (7 yes) So voted.

Council Agenda item #14: Consider the renewal of a Safari Game of Chance License for the Knights of Columbus #1870, 357 Washburn Road.

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Motion made by C. Bell, seconded by K. Bell, to approve the renewal of a Safari Game of Chance License for the Knights of Columbus #1870, 357 Washburn Road. (7 yes) So voted.

Council Agenda item #15: Consider the Game of Chance License, Texas Hold'em, for the American Legion Post 15, Sweden Street.

Motion made by K. Bell, seconded by D. Martin, to approve a Game of Chance License, Texas Hold'em, for the American Legion Post 15, Sweden Street. (7 yes) So voted.

Council Agenda item #16: Consider the renewal of a Restaurant Class Liquor License for Chris Richards d/b/a The Par & Grill, 118 Bennett Drive.

Motion made by D. Martin, seconded by K. Bell, to approve the renewal of a Restaurant Class Liquor License for Chris Richards d/b/a The Par & Grill, 118 Bennett Drive. (6 yes, 1 abstention, M. Williams) So voted.

Council Agenda item #16B: Consider authorizing a communication with MDOT requesting a two-phased approach to constructing Segment 4 to address landowner and business concerns.

The City Manager presented a revised copy of a letter he had prepared for Council consideration. (Copies of the letter would also be sent to Representatives Peter Edgecomb and John Martin as well as to Senator Troy Jackson.) Councilor Goughan pointed out the reference to the wording of Phase 1 and Phase 2, which had been used so that construction would have the least impact to Cavendish Farms' plan to relocate and build a new facility. He thought using Phase 1 and Phase 2 would give the impression that the original concept of "build it all or don't build it" no longer applies. He said he would oppose this letter as written because he wanted construction of Segment 4 to be referred to as one project. After discussion of this and other suggested changes, it was decided to have Steve reword the letter for consideration at the August 17th meeting.

Motion made by M. Goughan, seconded by C. Bell, to table this item until the August 17, 2009 regular meeting. (7 yes) So voted.

Council Agenda item #16C: Consider voting on the Proposed Slate of nominees to serve on the Maine Municipal Associations Executive Committee, as proposed by the MMA Nominating Committee.

Motion made by D. Martin, seconded by K. Bell, to accept the slate of nominees to serve on the Maine Municipal Associations Executive Committee, as proposed by the MMA Nominating Committee. (7 yes) So voted.

Council Agenda item #16: Updates

The City Manager provided information on several topics, including:

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- State Government – State needs to take out a \$150 million plus tax anticipation note to pay the bills – Appropriation Committee will need to cut \$80 million from the State budget next year – Overall sales tax revenues lower than projected
- Family Self Sufficiency position - Yvette Seaman hired to start July 20th to accommodate five days of training under Tracy – Yvette has a degree in social work and has done work similar to the new position
- Audit – Draft of 2008 audited financials has been received – Steve to produce management discussion and analysis before final audit is sent for printing
- Road Closure – Route 161 corridor to be closed from July 27th to August 5th per MDOT – North of the New Sweden intersection and south of Madawaska lake – MDOT admitted to lack of communication to area emergency services – Plans to prevent this from happening in the future are in place.
- Planning Board – July 9th workshop included Moir family members discussing their concerns about their permitted plans to construct an irrigation system on their farmland – Segment 4B dissects the location of the irrigation system – MDOT has been notified of this impact – MDOT plans to open communications with land owners and are committed to a series of public forums.

Council Agenda item #1: Other Business

a. Next Meetings

i. Council Meeting, August 17, 2009 7:00PM Council Chambers

b. Dedication of Sculpture at Wellness Center July 11th at 11:00 a.m., hosted by the Class of 1979

Mayor Murchison, a member of the Class of 1979, said the dedication had been well attended. He invited the public to go and take a look at the impressive work of his classmates who designed, built, and installed two sculptures. He commended the Wellness Commission and Kathy Mazzuchelli for their assistance.

c. Discussion of potential Committee meetings

The Building Committee to meet Thursday, July 16th at 6:00 p.m.

a. Other Business

Mayor Murchison said he had been contacted by an individual who had applied for the Family Self-Sufficiency position and, although not called for an interview, was questioning the short time span for the hiring process. Steve replied that the time frame was compressed in anticipation of hiring someone in time for Tracy to spend some time training the new person before she leaves.

Councilor K. Bell Voiced concerns about the hazardous condition of High Street in the vicinity of the Municipal Building and the Baptist Church. She asked the other councilors if they would agree to have Steve contact MDOT to do something in the immediate future to make it safer. After some discussion, it was the consensus to have the City Manager communicate with MDOT (Bob Watson as well as the MDOT Commissioner) to ask, at the very least, to have a grinding done.

9:00 p.m. Motion made by C. Bell, seconded by K. Bell, to adjourn. (7 yes) So voted.

Judy-Ann Corrow, Secretary

A workshop session followed the meeting.

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